



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bodo Plachter.

Serial No.: 10/770,467

Filed: February 04, 2004

For: Viral Particles which are released after infection
with Human Cytomegalovirus, and use of said
Particles (as amended)

Art Unit: 1648

Examiner: Humphrey, Louise Wang

Zhiying

Atty. Docket: 966927.10001

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b), (c)

United States Patent and Trademark Office
Customer Window
Randolph Building
Alexandria, VA 22314

Sir:

The owner, Bodo Plachter; of hundred percent interest in the instant application hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shorted by any terminal disclaimer of U.S. Patent 6,713,070. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent 6,713,070, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

REED SMITH LLP

By: 

Christopher E. Aniedobe
Reg. No. 48,293

Date: 02/06/2007
ReedSmith, LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, VA 22042